

IC 25-32

ARTICLE 32. SANITARIANS

IC 25-32-1

Chapter 1. Regulation of Sanitarians--Creation of Board

IC 25-32-1-1

Creation of board

Sec. 1. There is hereby created a board of environmental health specialists to register qualified environmental health specialists whose duties in public health, sanitary science, and community hygiene require knowledge of the physical, biological, and sanitary sciences and whose professional duties and pursuits are necessary to the promotion and preservation of life, health, and welfare of Indiana citizens.

(Formerly: Acts 1963, c.344, s.1.) As amended by P.L.48-1991, SEC.51.

IC 25-32-1-2

Definitions

Sec. 2. The words and phrases defined below shall, when used in this chapter have the following meaning unless the context clearly indicates otherwise:

(a) "Board" means the board of environmental health specialists.

(b) "Registered environmental health specialist" is a person skilled in the science of public health and in sanitary science, and who practices this profession to improve the hygienic condition of man's surroundings in Indiana thereby controlling epidemic and other diseases which may be spread by insanitary and unhealthful conditions, and who is registered in accordance with this chapter.

(c) "Sanitarian trainee" is a person who possesses the necessary educational qualifications as prescribed in this chapter for registration as an environmental health specialist, but who has not completed the experience requirements in the fields of environmental sanitation as required for registration.

(d) "Certificate of registration" is a document issued as evidence of registration and qualifications to practice as a registered environmental health specialist and showing the name of the registrant, date of issue, serial number, seal and signatures of the members of the board herein authorized to grant such certificates.

(e) "Environmental sanitation" means the application of scientific principles to the control of air, water, waste, food, milk, shelter, vermin and other external conditions of man's surroundings which promote and preserve health, safety, comfort, well-being and prolong human life.

(Formerly: Acts 1963, c.344, s.2.) As amended by Acts 1982, P.L.154, SEC.110; P.L.48-1991, SEC.52.

IC 25-32-1-3

Application for examination; qualifications

Sec. 3. (a) Any person desiring to be registered as an environmental health specialist shall make application on a form prescribed by the board. Such application shall be accepted if accompanied by the required fees.

(b) Persons meeting all of the following qualifications shall be eligible for registration under this chapter:

(1) Must hold a baccalaureate degree from an accredited college or university and have satisfactorily completed at least forty-five (45) quarter hours or thirty (30) semester hours of academic training in the basic physical, chemical, biological, or sanitary sciences.

(2) Must have been employed full time in the field of environmental sanitation for a period of at least two (2) years within the preceding five (5) years.

(3) Must not have been convicted of:

(A) an act which would constitute a ground for disciplinary sanction under IC 25-1-9; or

(B) a crime that has a direct bearing on the person's ability to practice competently.

(4) Must have passed the examination given by the board under this chapter.

However, persons who hold a master's degree in public health with a major in sanitary science or holders of a science degree higher than a baccalaureate degree and meeting the science requirements set forth in this subsection may substitute the master's or higher degree in lieu of one (1) year of the experience requirements.

(Formerly: Acts 1963, c.344, s.3.) As amended by Acts 1981, P.L.222, SEC.236; Acts 1982, P.L.113, SEC.77; P.L.152-1988, SEC.26; P.L.48-1991, SEC.53.

Repealed

(Repealed by P.L.33-1993, SEC.74.)

IC 25-32-1-4

Environmental health specialist trainees; permits

Sec. 4. The board is authorized to issue permits to environmental health specialist trainees, provided such a permit shall terminate three (3) years after date of issue and shall not be renewed. An environmental health specialist trainee may qualify as a registered environmental health specialist upon fulfillment of the requirements contained in section 3 of this chapter, and upon payment of the necessary fees.

(Formerly: Acts 1963, c.344, s.4.) As amended by P.L.149-1987, SEC.89; P.L.48-1991, SEC.55.

IC 25-32-1-5

Examinations and re-examinations

Sec. 5. (a) Examinations for registration under this chapter shall be prescribed by the board. Examination shall include applicable subjects in the field of public health and sanitary science and such other subjects pertinent to environmental sanitation as the board may

prescribe. The board may utilize the services of a testing company to prepare, conduct, and score examinations.

(b) If the applicant fails in the examination to meet the minimum passing grade set by the board, the applicant shall not be registered. The applicant may be re-examined at a time and place specified by the board and upon resubmitting the applicant's application accompanied by the necessary fees.

(c) Examinations shall be given by the board not less than once each calendar year at such time and place in Indiana as may be directed by the board.

(Formerly: Acts 1963, c.344, s.5.) As amended by Acts 1981, P.L.222, SEC.237; P.L.48-1991, SEC.56.

IC 25-32-1-6

Members of board

Sec. 6. (a) The board of environmental health specialists created under this chapter consists of the following seven (7) persons:

(1) One (1) of whom shall be an environmental health specialist eligible for registration under this chapter to be appointed by the state department of health, with the approval of the governor.

(2) Six (6) persons to be appointed by the governor as follows:

(A) Four (4) of whom shall be environmental health specialists.

(B) Two (2) of whom shall be other interested citizens who shall be residents of this state who have never been associated with the sanitarian profession in any way other than as a consumer.

(b) All environmental health specialists appointed to the board must be environmental health specialists registered under this chapter.

(Formerly: Acts 1963, c.344, s.6.) As amended by Acts 1981, P.L.222, SEC.238; P.L.48-1991, SEC.57; P.L.2-1992, SEC.779.

IC 25-32-1-7

Terms of members; vacancies and removal

Sec. 7. Of the board members first appointed by the governor, one (1) shall be appointed for a term of one (1) year, two (2) shall be appointed for a term of two (2) years, two (2) shall be appointed for a term of three (3) years, and one (1) shall be appointed for a term of four (4) years. Thereafter the term of office for each board member, appointed by the governor, shall be four (4) years. The board member appointed by the state department of health with the approval of the governor shall serve for a term of four (4) years. Vacancies shall be filled by appointment for unexpired terms as originally appointed. The governor may remove any member of the board for misconduct in office, incompetency, neglect of duty or other sufficient cause after due notice and a hearing.

(Formerly: Acts 1963, c.344, s.7.) As amended by P.L.2-1992, SEC.780.

IC 25-32-1-8

Organization of board; powers and duties; rules; issuance of certificates of registration; compensation and expenses

Sec. 8. (a) The members of the board shall annually elect from their number a chairman and vice chairman.

(b) The board shall supervise the enforcement of the provisions of this chapter and possess the necessary authority to fulfill its duties as prescribed in this chapter. The board may utilize on a full or part-time basis such employees as are necessary to maintain records, pertinent to the examination and registration of environmental health specialists or to assist in any manner in the performance of duties as required under the chapter. The board may also utilize the staff of the health professions bureau.

(c) Subject to IC 25-1-7, the board may hold hearings for the purpose of administrative adjudication of such matters as may properly come before it, make the necessary determinations, and issue such orders as may be consistent with the findings.

(d) The board may establish the procedures for conducting examinations and for obtaining the certificates and permits required by this chapter and methods by which the qualifications of an applicant shall be evaluated.

(e) The board may adopt reasonable rules to carry out and enforce the provisions of this chapter. The board shall adopt rules establishing standards for the competent practice of an environmental health specialist.

(f) The board shall issue a certificate of registration, upon the payment of the registration fee set by the board, to any applicant, who, in the opinion of the board, has satisfactorily met all requirements of this chapter.

(g) The board shall meet at least once a year to transact necessary business. Four (4) members of the board constitute a quorum. Special meetings of the board may be called by the chairman or shall be called upon written request of any three (3) members of the board. A majority of a quorum may transact business.

(h) Each member of the board who is not a state employee is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). Such a member is also entitled to reimbursement for traveling expenses and other expenses actually incurred in connection with the member's duties, as provided in the state travel policies and procedures established by the Indiana department of administration and approved by the budget agency.

(i) Each member of the board who is a state employee but who is not a member of the general assembly is entitled to reimbursement for traveling expenses and other expenses actually incurred in connection with the member's duties, as provided in the state travel policies and procedures established by the Indiana department of administration and approved by the budget agency.

(Formerly: Acts 1963, c.344, s.8.) As amended by Acts 1981, P.L.222, SEC.239; P.L.149-1987, SEC.90; P.L.48-1991, SEC.58.

IC 25-32-1-9**Repealed**

(Repealed by Acts 1981, P.L.222, SEC.296.)

IC 25-32-1-10**Disposition of fees**

Sec. 10. All registration fees and other fees and charges collected under this chapter shall be deposited with the state treasurer. The state treasurer shall deposit amounts so received by him in the general fund of the state. All expenses incurred in the administration of this chapter shall be paid from the general fund upon appropriation being made therefor in the manner provided by law for the making of such appropriations.

(Formerly: Acts 1963, c.344, s.10.) As amended by Acts 1976, P.L.119, SEC.25; Acts 1981, P.L.222, SEC.240.

IC 25-32-1-11**Repealed**

(Repealed by P.L.149-1987, SEC.120.)

IC 25-32-1-12**Repealed**

(Repealed by P.L.149-1987, SEC.120.)

IC 25-32-1-13**Application form; renewal of certificate**

Sec. 13. (a) The board shall prescribe and provide an application form for the use of all applicants for registration. The applicant shall deposit a fee in an amount set by the board at the time of making application for registration.

(b) All certificates of registration issued by the board expire in each odd-numbered year on July 31. A renewal fee specified by the board by rule must be paid biennially on or before July 31 of each odd-numbered year. If the renewal fee is not paid on or before July 31 of each odd-numbered year, the certificate of registration expires and becomes invalid without further action by the board. A certificate of registration that expires and becomes invalid under this subsection may be reinstated by the board up to three (3) years after the invalidation if the holder of the invalid certificate pays:

- (1) the penalty fee set by the board; and
- (2) the renewal fee for the biennium.

(c) A registration expired in excess of three (3) years is not eligible for renewal. If more than three (3) years have elapsed since the expiration of the registration, an environmental health specialist must:

- (1) submit a new application;
- (2) submit all appropriate application fees; and
- (3) meet all requirements of this chapter.

(Formerly: Acts 1963, c.344, s.13; Acts 1973, P.L.261, SEC.1.) As amended by Acts 1981, P.L.222, SEC.241; P.L.149-1987, SEC.91;

P.L.48-1991, SEC.59.

IC 25-32-1-14

Repealed

(Repealed by Acts 1981, P.L.222, SEC.296.)

IC 25-32-1-14.1

Repealed

(Repealed by P.L.152-1988, SEC.30.)

IC 25-32-1-15

Certification by reciprocity

Sec. 15. The board may, upon application and upon payment of a fee set by the board by rule, issue a certificate of registration as an environmental health specialist to any person who holds a certificate of registration issued by the proper authority of any state, territory, or possession of the United States, or any country, if the requirements for the registration of environmental health specialists under which the certificate was issued do not conflict with the provisions of this chapter and at the time the certificate was granted were of a standard not lower than those specified in this chapter.

(Formerly: Acts 1963, c.344, s.15.) As amended by P.L.149-1987, SEC.93; P.L.48-1991, SEC.60.

IC 25-32-1-16

Practicing without certificate

Sec. 16. A person who assumes the title of a registered environmental health specialist or uses words or letters to indicate that he is a registered environmental health specialist of the state of Indiana, without having received from the board of registration for environmental health specialists of Indiana a certificate to practice as such or after his certificate has expired or been suspended or revoked by the board, commits a Class B misdemeanor. Each day a violation continues constitutes a separate offense.

(Formerly: Acts 1963, c.344, s.16.) As amended by Acts 1978, P.L.2, SEC.2555; P.L.48-1991, SEC.61.